

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 ***

4
5 R. WAYNE JOHNSON,
6 Plaintiff,

7 vs.

8 DEPT OF VETERAN AFFAIRS,
9 Defendant.
10

2:16-cv-02121-GMN-VCF
ORDER

11
12 Before the Court is *R. Wayne Johnson v. Dept. of Veteran Affairs*, case no. 2:16-cv-02121-GMN-VCF.
13

14 On September 20, 2016, Johnson was ordered to file a complaint with an accompanying filing fee
15 or an application to proceed *in forma pauperis*. (ECF No. 4).

16 Under 28 U.S.C. § 1914(a), a filing fee is required to commence a civil action in federal court. The
17 Court may authorize the commencement of an action without prepayment of fees and costs by a person
18 who submits an affidavit showing the person is unable to pay a filing fee or provide security therefor. 28
19 U.S.C. § 1915(a)(1). “Determination of ...whether to allow a plaintiff to proceed *in forma pauperis*, is
20 left to the discretion of the presiding judge, based on the information submitted by the plaintiff or
21 plaintiffs.” *Lasko v. Hampton & Hampton Collections, LLC*, No. 2:15-CV-01110-APG, 2015 WL
22 5009787, at *1 (D. Nev. Aug. 21, 2015).


23 Here, Johnson has failed to take the steps necessary to commence this action. He has not paid the
24 fee necessary to file a complaint or file an application to proceed *in forma pauperis*.
25

This case cannot move forward. A complaint has not been lodged in this matter since no application for *in forma pauperis* was filed and the filing fee was not paid. There are no claims to dismiss.

Accordingly,

IT IS HEREBY ORDERED that the Clerk of Court administratively close this case.

DATED this 4th day of April, 2018.


CAM FERENBACH
UNITED STATES MAGISTRATE JUDGE